

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

WP(C).No. 24902 of 2007(M)

PETITIONER:

**T.N.VISWANATHAN,
LICENSEE, STD BOOTH,
K.S.R.T.C.BUS STAND, TRICHUR,
RESIDING AT THUMPAYIL HOUSE,
MUVATTUPUZA.**

BY ADV. SRI.S.KRISHNAMOORTHY

RESPONDENTS:

**1. KERALA STATE ROAD TRANSPORT
CORPORATION BY MANAGING DIRECTION,
THIRUVANANTHAPURAM-1.**

**2. DISTRICT TRNASPORT OFFICER,
K.S.R.T.C,DEPOT, TRICHUR.**

**ADDL.R3. THE GENERAL MANAGER,
BHARATH SANCHAR NIGAM LTD.,
TRICHUR**

(ADDL.R3 IMPEADED AS PER THE ORDER DATED 5.9.07 IN IA 11568/07)

**BY ADV. SHRI.JOHNSON P.JOHN, SC, KSRTC
SRI.K.KESAVANKUTTY, SC, BSNL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

ANTONY DOMINIC, J.
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W.P.(C) NO. 24902 OF 2007
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Dated this the 10th day of September, 2007

J U D G M E N T

The prayer in this writ petition is to quash Ext.P8, particularly Clause 2 thereof. Ext. P8 is a format of supplementary agreement and by Clause 2, the period of the licence is restricted for one year.

2. The petitioner is a licensee occupying a portion of the bus stand of the first respondent and it is not disputed that presently the petitioner has no valid licence in his favour to continue his occupation. It is submitted on behalf of the first respondent that as a matter of policy, in all cases, the first respondent is insisting on execution of licence deeds similar to Ext.P1 and that the petitioner's case also fall in the batch.

Since by Ext.P8, none of the petitioner's rights are affected, I see no valid grounds to interfere with Ext.P8.

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: 2 :

Petitioner cannot insist that he should be allowed to occupy the place and at the same time refuse to execute the licence deed setting out his obligations. No grounds are made out. Writ petition lacks merits and it is dismissed.

ANTONY DOMINIC, JUDGE.

Rp